

THE PRINCIPAL
A C T S
OF THE
General Assembly
OF THE
C H U R C H
O F
SCOTLAND,

Conveened at EDINBURGH, the 23d Day of May, 1771.

Collected and extracted from the Records by the Clerk thereof.



EDINBURGH:

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THE
 A C T
 OF THE
 General Assembly
 OF THE
 CHURCH
 OF
 SCOTLAND

passed at Edinburgh the 14th day of May 1792

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THE PRINCIPAL
A C T S
OF THE
General Assembly
OF THE
CHURCH
OF
SCOTLAND,

Begun at Edinburgh, the 23d Day of May 1771, and concluded
the 3d Day of June said Year.

I.

The King's Commission to JOHN Earl of
Glasgow produced, and ordered to be
recorded.

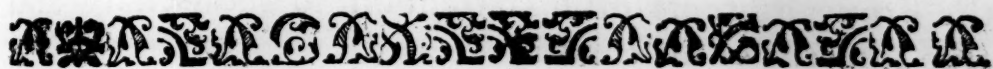
Edinburgh, May 23d 1771.

THE General Assembly of this National Church
being convened and constituted, there was pro-
duced to them, by the Right Honourable JOHN
Earl of GLASGOW, the King's Commission, sealed
with the Seal appointed by the Treaty of Union to be kept
and used in *Scotland*, in Place of the Great Seal of *Scotland*,
making and constituting him his Majesty's High Commis-
sioner and Representative in this Assembly; which Commis-
sion

tion was publickly read, with all due honour and respect, and ordered to be recorded in the books of Assembly : The tenor whereof follows :

“ **G** E O R G I U S, Dei gratia, Magnæ Britannia,
 “ Francia, et Hibernia Rex, Fidei Defensor.
 “ Omnibus probis hominibus, ad quos præsentēs literæ
 “ nostræ pervenerint, salutem. Quandoquidem nos con-
 “ siderantes, quod generalis ecclesiæ Scotiæ conventus in
 “ vigesimum tertium diem Maii proxime convenire or-
 “ dinatus fuit ; nosque etiam abunde cupidi, quinetiam
 “ necessarium esse judicantes in commodum dictæ eccle-
 “ siæ, ut idem generalis ecclesiæ conventus, die statuto
 “ debite observetur, atque rebus magni momenti nos alio
 “ vocantibus, dicto conventui personaliter interesse ne-
 “ quimus ; nosque abunde satisfacti de fidelitate et suf-
 “ ficientia fidelissimi et dilectissimi nostri consanguinei
 “ Joannis Comitis de Glasgow, quod ad summum munus
 “ supremi nostri Commissionarii dicti generali ecclesiæ
 “ conventus rite exercendum et obeundum usquequa-
 “ que sit instructus ; noveritis igitur nos nominasse, con-
 “ stituisse, et ordinasse, sicuti nos, tenore præsentium,
 “ nominamus, constituimus, et ordinamus, memoratum
 “ fidelissimum et prædilectissimum nostrum consanguine-
 “ um Joannem Comitem de Glasgow, supremum nostrum
 “ Commissionarium dicti generali ecclesiæ Scotiæ conven-
 “ tus, dando et concedendo illi plenissimam nostram po-
 “ testatem, commissionem, et warrantum sacram nostram
 “ personam et auctoritatem regalem repræsentandi, nec-
 “ non præsentiam nostram supplendi, et locum nostrum
 “ in dicto subsequenti generali conventu, tanquam Com-
 “ missionario nostro ad hunc effectum specialiter consti-
 “ tuto, tenendi, omniaque alia ad imperium et locum
 “ Commissionarii pro generali ecclesiæ conventu peragen-
 “ di, tam plene, adeoque libere, in quovis respectu,
 “ quam quilibet alius ejusdem summi muneris fecerat,
 “ seu quovis tempore præterito facere potuerat, vel ac si
 “ nos ipsi personaliter præsentēs facere potuerimus.
 “ Quæque omnia et singula ab antedicto Joanne Comite
 “ de Glasgow, in hac nostra commissione prosequenda
 “ legitime fecerit, seu fieri ordinaverit, nos firmiter ap-
 “ probamus, et habituri sumus. Omnibus et singulis
 “ insuper antedictæ ecclesiæ et conventus pastoribus, et
 “ presbyteris, cæterisque quibuscunque, infra illam par-
 “ tem

“tem Magnæ Britannæ, Scotiam vocatam, subditis no-
 “stris quibuscunque, cujuscunque gradus, seu qualita-
 “tis, ut dictum Joannem Comitem de Glasgou, tan-
 “quam supremum nostrum Commissionarium, quoad
 “effectum supra mentionatum revereantur, agnoscant,
 “et dict. ipsius audientes se præbeant, stricte manda-
 “mus et imperamus: Atque hanc nostram commissionem,
 “a dicto vigesimo tertio die Maii proxime incipere, et
 “deinceps hac subsequente sessione dicti generalis con-
 “ventus, in vigore continuare declaramus, vel usque
 “dum a nobis revocabitur, et exonerabitur. In cujus
 “rei testimonium, sigillum nostrum per Unionis tracta-
 “tum custodiend. et in Scotia, vice et loco Magni Si-
 “gilli ejusdem, utend. ordinat. præsentibus appendi
 “mandavimus; apud aulam nostram de St James’s, vi-
 “gesimo nono die mensis Aprilis, anno Domini millesi-
 “mo septingentesimo septuagesimo primo, regnique no-
 “stri anno undecimo. Per signaturam manu S. D. N.
 “regis. superscript.”



II.

The KING's most gracious Letter to the
General Assembly, presented to them
by his Majesty's Commissioner.

GEORGE R.

RIGHT Reverend and well beloved, we greet you
 well. The experience we have of your steady re-
 solution to persevere in the great cause of religion and
 virtue, and the repeated proofs you have given us of
 your duty, loyalty, and affection for our person and go-
 vernment, afford us the greatest satisfaction; and it is
 with pleasure that we renew those assurances, which we
 have so frequently given you, of our royal approbation
 and protection, at the same time that we acquaint you with
 our unalterable determination to preserve and maintain

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the Church of Scotland, as by law established, in the full and free enjoyment of all her just rights and privileges.

The reliance we have in the uninterrupted harmony, which, we are persuaded, prevails in all your deliberations, makes it unnecessary to recommend it to you to avoid all private animosities and personal altercations; and we doubt not, but in all your councils, you will exert your utmost endeavours in the pursuit of such measures, as may best tend to the support of the christian faith, the advancement of true religion and piety, and the general good of mankind, as well as to the suppression of irreligion, and every species of licentiousness. Such a conduct will always meet with our hearty concurrence and support, as, in its consequences, it cannot fail to increase the happiness of our people.

From the knowledge we have of the fidelity, zeal and attachment of our Right Trusty and Right Well Beloved cousin, JOHN Earl of Glasgow, we have again made choice of him to represent our person in this General Assembly, not doubting but you will consider this nomination as a fresh mark of our royal favour, as he has already given the strongest proofs of his attention to the welfare and true interests of his country.

We have only to add our exhortations to you, to continue in the same steady course, for the advancement of true religion and piety, and to the encouragement of every thing which may increase that harmony, unanimity and brotherly love, which will ensure a happy and satisfactory conclusion of the present meeting of the General Assembly: And so we bid you heartily farewell.

Given at our Court at St James's, the 29th day of April 1771, in the eleventh year of our reign.

By his Majesty's command,

(Signed) R O C H F O R D.

The

III.

The General Assembly's Answer to the
King's most gracious Letter.

May it please your Majesty,

TH E gracious letter, with which your Majesty hath honoured this meeting of the national Assembly of our church, was received with the highest respect and gratitude.

The renewed assurance which your Majesty hath been pleased to give us of your royal approbation, and of your unalterable determination to preserve the church of Scotland, as by law established, in the full and free enjoyment of all her just rights and privileges, must be considered by us, as an additional obligation to persevere in our endeavours to promote the interests of virtue and religion, and to give further proofs of that duty, loyalty, and affection for your Majesty's person and government, which we feel in our hearts, and which your Majesty hath vouchsafed to mention in a manner so gracious.

It gives us peculiar pleasure to find, that the reports your Majesty hath received of the good behaviour of former Assemblies, of the spirit with which they were animated, and the decency that was maintained in their deliberations, have confirmed your expectation of our prosecuting the business of this Assembly in such a manner as becomes the character we sustain, and the trust committed to us.

The support of the christian faith, the advancement of true religion and piety, and the general good of mankind, are the great objects which we wish to keep continually in our view ; and it makes us happy to have these recommended to us by a Sovereign, who considers the suppression of irreligion, and every species of licentiousness, as the most effectual means for securing and increasing the happiness of that great nation, over which, by the providence of God, he reigns.

We

We receive with thankfulness your Majesty's royal donation for promoting Christian knowledge, and the reformed religion, in the Highlands and Islands of Scotland. It shall be our care so to apply the sum bestowed for that purpose, as may best answer your Majesty's benevolent and pious intentions.

The approved fidelity and zeal of the Earl of Glasgow, in your Majesty's service, his abilities for the discharge of so high a trust, of which we have had long experience, his stated regard to religion, his warm affection to the interests of his country, and his other amiable qualities, make your Majesty's choice of him to represent your royal person in this Assembly most acceptable to us.

The exhortations, with which your Majesty concludes your letter, are no less worthy of our attention, than they become the character of a truly Christian Prince.

That the God and Father of our Lord Jesus Christ may bless your Majesty with all spiritual blessings, and render your administration prosperous; that your Royal Consort, our most gracious Queen, may be the object of his peculiar favour; that the Most High may be the guardian of his Royal Highness the Prince of Wales, and of all your Royal Family, are and ever shall be, the earnest prayers of,

May it please your Majesty,

Your Majesty's most faithful,

Most obedient

And most loyal subjects,

The ministers and elders met in this National Assembly of the Church of Scotland,

Signed in our name,

In our presence,

And at our appointment, by

ROBERT WALKER Moderator,

EDIN. 26th
May, 1771.

Commission

IV.

Commiffion to fome Minifters and Ruling Elders, for Reformation of the Highlands and Islands, and for managing his Majesty's Royal Bounty for that End.

THE General Affembly do hereby nominate and appoint Mr Robert Walker one of the minifters of Edinburgh, their moderator, all the minifters, members of the prefbytery of Edinburgh, Dr John Kerr at Forfar, Mr Robert Trail at Panbride, Mr Alexander Shanks at Arbuthnot, Mr Gavin Mitchel at Kinnelair, Mr Theodore Gordon at Kennethmont, Mr James Gordon at Ca-brack, Mr Alexander Turing at Oyne, Mr Walter Morifon at Deskfoord, Mr Alexander Chalmers at Cairnie, Mr John Grant at Dundurcas, Mr John Dunbar at Knockando, Mr Patrick Grant at Cromdale, Mr Lewis Grant at Duthill, Mr James Calder at Croy, Mr James Macintosh at Moy, Mr James Monro at Cromarty, Mr Patrick Grant at Nigg, Mr Joseph Monro at Edderton, Mr Adam Rose at Dingwall, Mr George Watfon at Kilt-earn, Mr Alexander Frafer at Kilmale, Mr Patrick Grant at Bolefkeen, Mr John Clark at Stornoway, Mr Alexander M'Kay at Barvas, Mr John M'Aulay at Bara, Mr Donald M'Leod at Glenelg, Mr George Munro at Far, Mr James Alifon at Holme, Mr Thomas Hepburn at Birs-fay, Mr Charles Wilkie at Ecclesmachin, Mr William Tait at Kilbucho, Dr Alexander Carlyle at Inveresk, Dr Joseph M'Cormick at Prestonpans, Mr Robert Home at Polwart, Dr Walter Anderfon at Chirnside, Mr Angus Bethune at Harris, Mr William Scott at Abotrue, Mr David Scott at Channelkirk, Mr James Lorimer at Yarrow, Mr John Dickie at Langholm, Mr Peter Yorftoun at Clofeburn, Mr Archibald Lawfon at Kirkmahoo, Mr Robert Mutter at Kirkcudbright, Mr Andrew Ross at Inch, Mr Gilbert Lang at Largs, Mr James Morifon at Paisley,

C

Mr

Mr John Freebairn at Dumbarton, Mr William Porteous at Glasgow, Mr James Stoddart at Kirkintilloch, Mr Duncan M'Lea at Innerhealen, Mr David Campbell at Southend, Mr Peter Campbell at Kilmichael, Mr Adam Ferguson at Mouline, Mr James Meek at Lismahegow, Mr David Swan at Scoonie, Mr Andrew Turnbull at Kippen, Mr Patrick Glas at Crail, Mr Colin Campbell at Renfrew, Dr John Walker at Moffat, Mr Andrew Hunter at Dumfries, and Mr Charles Nisbet at Montrose, ministers; Professor Thomas Gordon at Aberdeen, Robert Finlay of Drummorie, Esq; the Lord Provost of Edinburgh, Bailie Charles Wright, Edinburgh, Mr Walter Gibson merchant in Leith, Provost James Stewart, Edinburgh, Mr Alexander Orr writer to the signet, Mr William M'Donald writer to the signet, Mr George Ogilvie advocate, Dr Gregory Grant, physician in Edinburgh, Mr James Colquhoun advocate, Bailie John Walker, Edinburgh, Mr Adam Ogilvy advocate, Provost John Dickson Dumfries, Mr Allan M'Dougal writer to the signet, Mr Walter Cossar merchant in Edinburgh, Mr John Haddoway merchant in Leith, Arthur Connel, Esq; Glasgow, Provost Henry Gilles, Linlithgow, Mr William Alexander merchant in Edinburgh, Samuel Charteris, Esq; Sir George Preston, Mr Alexander Hart writer in Edinburgh, Mr William Galloway merchant in Edinburgh, Mr John Moffinan merchant there, Gideon Shaw of Laurieston, Esq; Conveener William Armstrong, Conveener Thomas Simpson, John Home, Esq; Mr Andrew Crossbie advocate, Mr Alexander Ferguson advocate, Mr John Chalmers writer to the signet, Professor Adam Ferguson, Bailie John Learmonth merchant in Edinburgh, Mr Alexander Bellches advocate, Sir James Colquhoun, Bailie James Gentle brewar in Canongate, Mr William Baillie advocate, Bailie William Tod merchant in Edinburgh, Mr James Grant advocate, Mr George Clerk advocate, Bailie John Lothian merchant in Edinburgh, Mr George Wallace advocate, and Mr Isaac Grant writer to the signet, ruling elders; to be a committee of this Assembly, for reformation of the Highlands and Islands of Scotland, for promoting the knowledge of true religion, suppressing Popery and profaneness, and for managing the royal bounty for these ends, according to, and in terms

terms of his Majesty's grant to this Assembly. In prosecution of which purposes, the committee are to appoint preachers and catechists to go to such places as they shall find, upon due information, to be most proper, according to his Majesty's design expressed in his warrant; and, in so doing, that they have particular regard to such parishes in South Uist, Small-Isles, Glenco, Harris, the countries of Moidart, Glengary, and Lochaber, and the other parishes of the synods of Glenelg and Argyle, which the committee shall find, by reason of their vast extent, by the prevalency of Popery and ignorance, and other unhappy circumstances, to be in the greatest distress: And they shall take care, that the persons they employ be certified, and found, upon due trial, to be properly qualified for these respective offices, of good abilities for the same, of a pious life and conversation, prudent, of undoubted loyalty to his Majesty, and of competent skill in the principles of divinity, and particularly in Popish controversies: Such preachers and catechists being hereby appointed to be subject to, and under the inspection of, the presbyteries of the bounds to which they are sent, who are to take care that the orders of the committee be duly observed by them. And the preachers are also appointed to catechise; and both they and the catechists to instruct the people from house to house, and to visit the sick: And, in all their labours among the people, to be careful to teach them the principles and duties of the true Christian Protestant religion, and the obligations they are under to duty and loyalty to our Sovereign King George, and obedience to the laws: And the committee are impowered to give them such instructions, as to their work and behaviour, as they shall judge meet; which instructions the preachers and catechists are hereby ordered to obey. The General Assembly do further appoint the said committee to have a particular regard in their proceedings to the regulations agreed upon by the committee of the Assembly for managing the Royal bounty, on the 30th of September 1730, approved by frequent Assemblies; and to take care that presbyteries, and others concerned, observe the same, which they are hereby ordered to do: Particularly, the Assembly ordains the several presbyteries to insert in their registers, the committee's appointments of the designations,

designations, salaries, and stations of the several missionaries, and to have an exact regard thereto, in all the letters they shall write about the said missionaries, and in giving of certificates to them; and to direct all their letters concerning missionaries in their bounds, only to the moderator of the committee; which letters shall be signed, at the appointment of the presbytery, by the moderator or clerk thereof; And the Assembly does discharge any payment to be made of the salaries of the missionaries, except upon receipts from the missionaries themselves, and upon certificates from the Presbyteries, bearing that they have served for the time mentioned in the receipts. The General Assembly do also empower the said committee to apply, for the purposes above mentioned, what may remain of the last year's Royal bounty not disposed of, by reason of any of the missionaries not fulfilling the appointments laid upon them: And they are to keep a register of their proceedings, and likewise distinct books of accompts, how the foresaid money is bestowed, which shall be patent to any concerned, who please to inspect the same. Of the persons above-named as members of this committee, five are declared to be a quorum, whereof three are to be ministers. But it is hereby appointed, that at the quarterly meeting of the committee, in which the scheme or establishment of missionaries for the ensuing year is to be approved and determined, not less than fourteen shall be the quorum, whereof nine shall be ministers, and the said committee are appointed to have their meetings at Edinburgh, in the hall of the society in Scotland for propagating Christian knowledge, the last Thursday of every month, at four of the clock afternoon, and also the first lawful day after the adjournment of the four stated diets of the commission of the General Assembly, at ten of the clock in the forenoon, except that day shall fall to be Saturday, and then the meeting shall be upon Monday next thereafter, at the said hour; with power to the said committee to adjourn themselves to such times and places, as they shall find most needful and convenient; and they are to keep a correspondence with the commission of the General Assembly, and the Society for propagating Christian Knowledge, and their committee of directors, and to take their advice and assistance; and

also to correspond with the synods and presbyteries concerned. They are likewise instructed and impowered, as they shall see cause, to apply to the Government, or any magistrate, for assistance and support in carrying on the design of the commission now given to them. And the General Assembly do by these presents nominate and appoint Mr David Dalrymple advocate, procurator for the Church, to be receiver of the foresaid Royal bounty, and to pay out the same as he shall be directed and ordered by the said committee, and according to their rules. And the said committee are appointed to examine the accompts of the distribution of the Royal bounty, and lay the same before the Lords Commissioners of his Majesty's Treasury, or the Barons of his Majesty's Court of Exchequer, and to report their diligence to the General Assembly, to whom they are to be accountable. And it is agreed, that no person once employed and insert in the scheme, shall be struck out thereof for that year, but by the quorum of at least fourteen, whereof nine to be ministers; and in case any complaint shall be made against any of them on the scheme, it shall not be determined the first ordinary meeting that the same is offered, but it shall ly on the table till another meeting; and, in the mean time, the person complained of, and the presbytery of the bounds wherein he officiates, shall be acquainted of such complaint, and these concerned be required to send to the said committee a just account of the matter, against the next meeting. And it is further appointed, that after the yearly scheme of missionaries on the Royal bounty is settled in manner above directed, and notice thereof given by letters to the presbyteries concerned, such presbyteries shall send up to the said committee, their answer to these letters, at farthest with their commissioners to the General Assembly, if the same be not done sooner; and that the committee, at their first meeting after the General Assembly, shall endeavour to compleat the next year's scheme themselves; and if they cannot compleat it, they shall name a sub-committee of their number for that purpose, who are to lay their draught thereof before a subsequent meeting, which are appointed to meet as soon after the rising of the Assembly as possible: And that the said committee, in making up the scheme of missionaries, &c. do not exceed the sum in the grant.

V.

Commission to some Ministers and Ruling Elders, for discussing Affairs referred to them.

TH E General Assembly, considering that there are divers affairs which they cannot overtake, do hereby nominate, commissionate, and appoint the Reverend Mr Robert Walker one of the ministers of Edinburgh, their moderator; and from the presbytery of Meigle, Mr John Robertson at Alyth, Mr James Ogilvie at Effay, Mr James Playfair at New-Lylde, ministers, and Patrick Alison of Newhall, Esq; ruling elder; From the presbytery of Forfar, Dr John Kerr at Forfar, Mr George Ogilvie at Cortachie, ministers, and the Earl of Northesk, ruling elder; From the presbytery of Dundee, Mr James Henderson at Monyfeith, Mr John Gallatly at Tealing, Mr Thomas Randal at Inchtute, ministers, and William Stirling of Pittendrich, Esq; ruling elder; From the presbytery of Aberbrothock, Mr Robert Trail at Panbride, Mr John Aitken at St Vigians, ministers, and the Honorable Baron Maule, ruling elder: From the presbytery of Brechin, Mr James Beattie at Maryton, Mr James Paton at Craig, Mr Charles Nisbet at Montrose, ministers, and Mr John Scott advocate, ruling elder: From the burgh of Montrose, Mr Adam Glegg merchant in Montrose: From the presbytery of Fordoun, Mr Alexander Shank at Arbuthnot, Mr Robert Young at Benholm, Mr John Hutcheon at Fetteresso, ministers, and Mr William Galloway merchant in Edinburgh, ruling elder: From the presbytery of Aberdeen, Mr Gavin Mitchel at Kinellar, Mr Alexander Lesly at Durrus, Mr James Forsyth at Belhelvie, Mr Alexander Temple at Newhills, ministers, Sir James Cockburn, Baronet, and James Cunningham of Hyndhope, ruling elders: From the presbytery of Kincardine Oniel, Mr Francis Downie, Mr John Ramsay,
Dr

Dr John Ogilvie, ministers, and Sir Arthur Forbes, ruling elder: From the presbytery of Alford, Mr Theodore Gordon at Kennethmont, Mr James Gordon at Cabrach, Mr William Copland at Forbes, ministers, and Mr Alexander Leith of Glenkindy, ruling elder: From the presbytery of Ellon, Mr Thomas Mitchell at Tarves, Mr John Rose at Udney, ministers, and Professor Thomas Gordon at Aberdeen, ruling elder: From the presbytery of Garioch, Mr Alexander Turing at Oyne, Mr William Davidson at Inverury, Mr Robert Gauld at Cullamond, ministers, and Mr David Dalrymple advocate, procurator for the church, ruling elder: From the burgh of Inverury, Mr John Clark merchant in Edinburgh: From the presbytery of Deer, Mr John Smith at Strichen, Mr George Moir at Peterhead, Mr Charles Keay at Old Deer, ministers, and Lord Strichen, ruling elder: From the presbytery of Fordyce, Mr Walter Morison at Deskfoord, Mr James Dunbar at Boyndee, ministers, and Mr John Robertson writer in Edinburgh, ruling elder: From the burgh of Cullen, Mr George Ogilvie advocate: From the burgh of Banff, Charles Hope-Vere of Craigiehall, Esq; From the presbytery of Strathbogie, Mr Alexander Chalmers at Cairnie, Mr John Coopar at Glas, ministers, and Mr Cosmo Gordon advocate, ruling elder: From the presbytery of Aberlour, Mr John Grant at Dundurcas, Mr John Dunbar at Knockando, ministers, and Mr Isaac Grant writer to the signet, ruling elder: From the presbytery of Abernethy, Mr Patrick Grant at Cromdale, Mr Lewis Grant at Duthill, ministers, and Dr Gregory Grant physician in Edinburgh, ruling elder: From the presbytery of Elgin, Mr Lachlan Shaw at Elgin, Mr Joseph Anderson at Birnie, ministers, and Dr John Tait physician at Esperston, ruling elder: From the presbytery of Forres, Mr Duncan Shaw at Rafford, Mr Alexander Caull at Edinkellie, ministers, and Professor Patrick Cumming at Glasgow, ruling elder: From the burgh of Forres, Mr James Colquhoun advocate: From the presbytery of Inverness, Mr James Calder at Croy, Mr James M'Intosh at Moy, ministers, and Alexander Campbell, Esq; advocate, ruling elder: From the presbytery of Chanonry, Mr James Monro at Cromarty, Mr Alexander Wood at Rosemarkie, ministers, and Bailie John Walker merchant in Edinburgh, ruling elder: From the presbytery

tery of Tain, Mr Patrick Grant at Nigg, Mr Joseph Monro at Edderton, ministers, and David Ross of Innerhau-fley, Esq; ruling elder: From the burgh of Tain, Robert Chalmers of Larbert, Esq; From the presbytery of Dingwall, Mr Adam Rose at Dingwall, Mr George Watson at Kiltarn, ministers, and Mr Walter Gibson surgeon in Leith, ruling elder: From the presbytery of Abertarph, Mr Alexander Fraser at Kilmallee, Mr Patrick Grant at Bole-skeen, ministers, and Mr James Grant advocate, ruling elder: From the presbytery of Sky, Mr Donald M^cQueen at Kilmuir, Mr Martin M^cPherson at Slate, ministers, and Mr John Haddoway merchant in Leith, ruling elder: From the presbytery of Lewis, Mr John Clerk at Stornoway, Mr Alexander M^cKay at Barvas, ministers, and Mr George Syme slater in Edinburgh, ruling elder: From the presbytery of Uist, Mr John M^cAulay at Bara, Mr Angus Bethune at Harris, ministers, and Mr George Wallace advocate, ruling elder: From the presbytery of Gerloch, Mr James Robertson at Lochbroom, Mr Donald M^cLeod at Glenelg, ministers, and Mr William M^cDonald writer to the signet, ruling elder: From the burgh of Dornock, Mr Alexander M^cKenzie writer to the signet: From the presbytery of Tong, Mr George Monro at Fair, Mr Alexander Falconer at Edrahillis, ministers, and Mr John Mosman merchant in Edinburgh, ruling elder: From the presbytery of Kirkwall, Mr James Alison at Holme, Mr James Weir at South Ronaldshay, ministers: From the burgh of Kirkwall, Mr Robert Blair advocate: From the presbytery of Cairnston, Mr Thomas Hepburn at Birsay, Mr James Tyrie at Sandwick, ministers, and Bailie John Learmonth merchant in Edinburgh, ruling elder: From the presbytery of North Isles, Mr Hugh Sutherland at Sanday, Mr James Lesly at Rou-say, ministers, and Mr Thomas Simpson peuterer in Edinburgh, ruling elder: From the presbytery of Edinburgh, Dr Alexander Webster, Dr Daniel M^cQueen, Dr Robert Dick, Mr Alexander Brice at Kirk-Newton, Mr Robert Fisher at Colington, Mr James Craig at Currie, ministers, Bailie John Carmicheal, Provost James Stewart and Mr Robert Johnston merchant in Edinburgh, ruling elders: From the city of Edinburgh, the Right Honourable John Dalrymple, Esq; Lord Provost, and Mr William Armstrong Conveener: From the university of Edinburgh,
Principal

Principal Robertson: From the church of Campvere, Mr James Yair at Campvere, minister, and John Home, Esq; ruling elder: From the presbytery of Linlithgow, Mr Charles Wilkie at Ecclesmachin, Mr Adam Wadderton at Bathgate, Mr James Paton at Torphichen, Mr John Knox at Slamannan, ministers, Mr William Baillie, advocate, and Bailie Robert Clerk, Linlithgow, ruling elders: From the burgh of Linlithgow, Provost Henry Gilles: From the burgh of Queensferry, Mr Walter Scott merchant in Edinburgh: From the presbytery of Biggar, Mr William Tait at Kilbucho, Mr John Noble at Libberton, Mr Thomas Gray at Broughton, ministers, and Robert Welsh of Mossfennan, Esq; ruling elder: From the presbytery of Peebles, Mr Stephen Oliver at Innerleithin, Mr William Dalgleith at Peebles, ministers, and the Lord Advocate, ruling elder: From the presbytery of Dalkeith, Dr Alexander Carlyle at Inveresk, Mr John Main at Newton, Mr James Taylor at Glencross, ministers, and the Lord President, ruling elder: From the presbytery of Haddington, Mr George Anderson at Pencaitland, Dr Joseph M'Cormick at Prestonpans, Mr Neil Roy at Aberlady, ministers, and Lord Coalston, ruling elder: From the burgh of Haddington, James Wilkie younger of Gilkerston, Esq; From the burgh of North-Berwick, Mr John Swinton *tertius*, advocate: From the presbytery of Dunbar, Mr David Smith at Innerwick, Mr George Bruce at Dunbar, ministers, and George Buchanan-Hepburn, Esq; advocate, ruling elder: From the burgh of Dunbar, Mr Peter Miller preacher of the gospel: From the presbytery of Dunse, Mr Robert Douglas at Bunkle, Mr Robert Home at Polwart, ministers, and Mr Christopher Tait preacher of the gospel, ruling elder: From the presbytery of Chirnside, Dr Walter Anderson at Chirnside, Mr Thomas Tait at Eymouth, ministers, and Sir John Stewart of Allanbank, Baronet, ruling elder: From the presbytery of Kelfo, Mr Joseph Leck at Yetholm, Mr Robert Hogg at Roxburgh, ministers, and Mr Solicitor Dundas, ruling elder: From the presbytery of Jedburgh, Mr John Rogers at Hownam, Mr William Paton at Eckford, Mr William Scott at Abbotrule, ministers, and Mr John Laurie preacher of the gospel, ruling elder: From the presbytery of Lauder, Mr James Ford at Lauder, Mr David Scott at Channelkirk, ministers, and Alexander Dalziel of Hartside, Esq;

ruling elder : From the burgh of Lauder, the Right Honourable the Earl of Lauder : From the presbytery of Selkirk, Mr James Lorimer at Yarrow, Mr John Adams at Etterick, ministers, and Mr Adam Ogilvie advocate, ruling elder : From the burgh of Selkirk, Gideon Shaw of Laurieston, Esq; From the presbytery of Annan, Mr James Currie at Middlebel, Mr Thomas Smith at Cummertrees, ministers, and Mr Alexander Orr writer to the signet, ruling elder : From the presbytery of Langholm, Mr John Dickie at Langholm, Mr Andrew Walker at Canonbee, ministers, and Bailie William Tod merchant in Edinburgh, ruling elder : From the presbytery of Lochmabon, Mr Richard Brown at Lochmabon, Dr John Walker at Moffat, Mr James Moodie at Mouf-wald, ministers, and Mr Peter Haliday in Barntimpen, ruling elder : From the burgh of Lochmabon, James Mounsfay of Rammarfkails, Esq; From the presbytery of Penpont, Mr Peter Yorftoun at Closeburn, Mr John Thomson at Sanquhar, ministers, and Mr Alexander Ferguson advocate, ruling elder : From the burgh of Sanquhar, Mr George Clerk advocate : From the presbytery of Dumfries, Mr John Ewart at Troqueir, Mr Archibald Lawson at Kirkmahoe, Mr Andrew Hunter at Dumfries, ministers, and Mr Andrew Crosbie advocate, ruling elder : From the burgh of Dumfries, Provost John Dickson : From the presbytery of Kirkcudbright, Mr John Scott at Wynholm, Mr William Gordon at Anwoth, Mr Robert Mutter at Kirkcudbright, ministers, and Mr William Shaw in Glenlee, ruling elder : From the presbytery of Wigton, Mr Andrew Adair at Whitehorn, Mr James Laing at Glasserton, ministers, and Mr Alexander Stewart in Drummores, ruling elder : From the burgh of Wigton, William M'Culloch younger of Torhouse, Esq; From the presbytery of Stranrawer, Mr James Tweddle at Old-luce, Mr Andrew Ross at Inch, ministers, and Dr Robert Findlay of Drummores, ruling elder : From the presbytery of Air, Mr William Auld at Mauchlan, Mr John M'Dermid at Straiton, Mr Andrew Mitchell at Muirkirk, Mr John Dun at Auchinleck, Mr John Cunningham at Monk-toun, ministers, John Hamilton of Bargenie, Esq; and William Campbell of Fairfield, Esq; ruling elders : From the burgh of Air, Mr John Chalmers writer to the signet : From the presbytery of Irvine, Mr Robert Dow at Adrofsan, Mr Gilbert Lang at Largs, Mr Michael Tod at Dreg-horn,

horn, ministers, and the honourable Patrick Boyle, ruling elder : From the burgh of Irvine, Mr Claud Marshall writer in Glasgow : From the presbytery of Paisley, Mr Colin Campbell at Renfrew, Mr John Adam at Greenock, Mr George Muir at Paisley, Mr James Morison at Paisley, ministers, Mr John M'Laurin advocate, and Bailie James Willson merchant in Paisley, ruling elders : From the burgh of Renfrew, Mr John Robertson mason in Renfrew : From the presbytery of Hamilton, Mr David Connel at Kilbride, Mr Patrick Maxwell at Newmonkland, Mr Alexander Dobie at Glassford, ministers, and Mr John Miller of Brokincrofs, ruling elder : From the presbytery of Lanerk, Mr James Porteous at Wiston, Mr William Miller at Crawfordjohn, Mr James Meek at Lesmahagow, ministers, and Sir Archibald Denholm of Westfield, ruling elder : From the burgh of Lanerk, Mr Walter Coffar merchant in Edinburgh : From the presbytery of Glasgow, Dr Robert Finlay at Glasgow, Mr William Porteous at Glasgow, Mr James Stoddart at Kirkintilloch, Mr William Anderson at Gorbals, ministers, Mr Daniel Baxter bookseller in Glasgow, and Mr John Shortridge, merchant there, ruling elders : From the city of Glasgow, Arthur Connel, Esq; From the university of Glasgow, Professor William Wight ; From the presbytery of Dumbarton, Mr John Colquhoun at Baldernock, Mr Archibald Smith at Strathblane, Mr John Freebairn at Dumbarton, ministers, and Sir James Colquhoun, ruling elder : From the presbytery of Dunoon, Mr James Thornburn at Kingarth, Mr Duncan M'Lea at Innerhealen, ministers, and Dr James Williamson professor of mathematics in the university of Glasgow, ruling elder : From the presbytery of Kintyre, Mr David Campbell at Southend, Mr Gershom Stewart at Kilbride, ministers, and Mr Thomas Hogg advocate, ruling elder : From the burgh of Campbeltoun, John Campbell of Skipness, Esq; From the presbytery of Inverary, Mr Paul Frazer at Craignish, Mr Peter Campbell at Kilmichael, ministers, and Mr James Loch writer to the signet, ruling elder : From the burgh of Inverary, Archibald Campbell of Blandfield, Esq; From the presbytery of Lorn, Mr Patrick Campbell at Kilninver, Mr Ludovick Grant at Ardchatten, ministers, and Lord Stonefield, ruling elder : From the presbytery of Mull, Mr Archibald M'Tavish at Torosay, Mr Kenneth M'Auldy at Ardnamurchan, ministers, and Mr Allan

Allan M'Dougal writer to the signet, ruling elder: From the presbytery of Dunkeld, Mr Adam Ferguson at Mouline, Mr James Campbell at Kenmore, Mr John Calder at Weem, Mr John Brodie at Kinloch, ministers, the Earl of Broadalbane, and Professor Adam Ferguson, ruling elders: From the presbytery of Perth, Mr John Faichney at Collace, Mr Patrick Meek at Kinnoul, Mr Alexander Duff at Tippermuir, Mr Andrew Williamson at Arngosk, ministers, Mr Alexander Bellshes advocate, and Bailie John Caw merchant in Perth, ruling elders: From the presbytery of Stirling, Mr Robert Finlay at Dollar, Mr James Frame at Alloa, ministers, and Lord Barjarg, ruling elder: From the burgh of Stirling, Provost Henry Jaffray: From the presbytery of Auchterarder, Mr John Murray at Foulis, Mr John Kemp at Trinity-Gask, Mr James Campbell at Auchterarder, ministers, and Bailie James Gentle brewer in Canongate, ruling elder: From the presbytery of Dumblane, Mr Andrew Turnbull at Kippen, Mr James Smith at Kilmadock, ministers, and Mr Benjamin Downie of Blairgorts, ruling elder: From the presbytery of Dunfermline, Mr James Thomson at Dunfermline, Mr Alexander Daling at Cleish, Mr John Spence at Orwall, ministers, and Sir George Preston of Valliefield, ruling elder: From the burgh of Dunfermline, Mr Alexander Hart writer in Edinburgh: From the burgh of Culrofs, Mr David Ireland town-clerk of Culrofs: From the burgh of Dyfart, Bailie Charles Wright merchant in Edinburgh: From the presbytery of Kirkcaldy, Dr Harry Spence at Wemyss, Mr Thomas Webster at Kinghorn, Mr David Swan at Scoonie, ministers, and William Alexander of Clunie, Esq; ruling elder: From the burgh of Kirkcaldy, Provost James Heggie: From the burgh of Kinghorn, Samuel Charteris, Esq; From the burgh of Burntisland, Bailie John Hoy: From the presbytery of Coupar, Mr George Lyon at Strathmeigle, Mr Roger Moodie at Monymail, Mr Charles Willon at Auchtermuchty, Mr Robert Swan at Monzie, ministers, Captain Frederick Maitland and David Melvill of South Baltillie, ruling elders: From the burgh of Coupar, John Balfour of Balbirnie, Esq; From the presbytery of St Andrews, Mr Patrick Glas at Craill, Dr John Chalmers at Kilconquhar, Mr John Mair at Cameron, Mr John Richardson at Newburn, ministers, Dr George Haddow

Haddow, and Mr James Chalmers merchant in Easter Enster, ruling elders: From the burgh of St Andrews, Mr William Chalmers writer in Edinburgh: From the university of Saint Andrews, Doctor James Flint professor of medicine: From the burgh of Pittenweem, James Durham of Largo, Esq; From the burgh of Craill, Mr Andrew Balfour advocate: From the burgh of Anstruther-Easter, John M'Naughton, Esq; From the burgh of Anstruther-Wester, Bailie John Lothian merchant, Edinburgh: From the burgh of Kilrenny, Conveener John Lindsay, Edinburgh; To be commissioners of this General Assembly, to the effect after-mentioned; with power to the said commissioners, or their *quorum*, which is hereby declared to be any thirty-one of the said commissioners, whereof twenty-one are always to be ministers, to meet and convene within the Assembly-house at Edinburgh, the first day after the dissolution of this Assembly, at ten of the clock in the forenoon; and thereafter the second Wednesday of August, third Wednesday of November, and the first Wednesday of March next to come, and oftener when and where they shall think fit and convenient, with power to the said commissioners to chuse their own moderator: And likewise, the General Assembly fully impowers their said commissioners, or their *quorum* above-mentioned, to cognosce and finally determine, as they shall see cause, in every matter referred, or that shall be referred to them, by an act or order of this Assembly, and to do every thing contained in, and conform to the instructions given, or to be given by this Assembly; and to advert to the interest of the church on every occasion, that the church, and present establishment thereof do not suffer or sustain any prejudice which they can prevent, as they will be answerable: Provided always, that this general clause be not extended to particular affairs, or processes before synods or presbyteries, that are not of universal concern to, or influence upon, the whole church. And it is hereby appointed, that no private processes be determined, except at the four stated diets; and what shall be determined at one diet of the commission, with relation to private causes, shall be unalterable by any other diet thereof, and shall stand and continue in force, till disapproved by the General Assembly. And the Assembly renews the instructions given by the General Assembly in the year one thousand seven hundred and seventeen,

to their commission, and appoints the same to stand in full force, as instructions to the commissioners before-named, and to be observed by them in all points, as if the same were specially here insert; and that they inquire into the publishing and spreading of books and pamphlets tending towards the promoting of opinions of whatever kind, inconsistent with our *Confession of faith*; and that the recommenders of such books or pamphlets, or the errors therein contained, whether by word, writ, or print, be called before the said commission to answer for the same. And further, the said commission is hereby impowered to receive any references and appeals that shall be made to them from synods, in matters of doctrine, and ripen such affairs for the next General Assembly; and to contribute what they can to the suppressing of vice and immorality, and give all needful advice and assistance to synods and presbyteries, upon application to them for that end: Likeways to take care that the impressions of the *holy Scriptures*, the *Confession of Faith* and *Catechisms*, and such books as are authorised by this church, relating to the doctrine, worship, discipline, and government thereof, be correct; and give directions about printing the same. And the commissioners are appointed and impowered to keep a correspondence with the committee for reformation of the Highlands and Islands, for suppressing Popery and superstition, and for promoting the knowledge of true religion, and carrying on a reformation in these parts, and give assistance and concurrence therein; and, if need be, to apply to the government for a proper remedy and speedy redress. And the said commissioners are hereby strictly prohibited and discharged to meddle in any other matters than what are committed and referred to them, as above-mentioned: And, in all their actings, they are to proceed according to the acts and constitution of this church, and to do nothing contrary thereto, or to the prejudice of the same; declaring, that in, and for all their actings, they shall be accountable to, and censurable by the next General Assembly, as they shall see cause. And the General Assembly appoints the said commissioners particularly to observe the acts of the General Assemblies one thousand seven hundred and twelve, and one thousand seven hundred and nineteen, respecting the application of the public money;

ney ; which two acts are printed among the acts of Assembly one thousand seven hundred and sixty-one. And this commission is to continue and endure until another commission be appointed ; and members are required to attend the diets of the said commission ; and absents therefrom are ordered to be noticed, according to the 17th act of the General Assembly held in the year one thousand seven hundred and six. And for the better securing of a quorum, and attendance of members on the commission, the General Assembly prohibits the presbytery of Edinburgh, or any other presbytery within twelve miles thereof, to meet on any of the days or weeks appointed for the meeting of this commission ; and such of the members of these presbyteries as are on the commission, are required all of them to give attendance on the diets thereof ; and the presbyteries at a greater distance, who have four or more members on the commission, are to take care, that at least two of them attend each diet of the same ; and the General Assembly appoint their commission, at their first meeting ; to discuss as many of the causes and questions relative to the settlement of vacant churches, which are, or shall be referred to them by the Assembly, as they can overtake. And it is further provided, that when any presbytery, or synod of this church, shall decline to comply with the sentence of the commission, or to give the same a full execution, in that case the commission is hereby prohibited to execute the same, by appointing any such correspondent meeting, as has been sometimes the practice ; but shall allow the same to ly over to the ensuing Assembly, to which such presbyteries or synods shall be answerable for such their conduct, and are hereby appointed to send up with their commissioners their reasons for the same. And the Assembly doth further impower and direct the said commission, to make due application to the King and Parliament, for redress of the grievance of patronage, in case a favourable opportunity for so doing shall occur during the subsistence of this commission. And that in passing their sentences, and in ordering the execution of the same, they strictly observe the 12th act of the Assembly 1736.

Act

VI.

Act appointing the Diet of the next General Assembly.

TH E next General Assembly of this National Church is appointed to be held in this place on Thursday the Twenty-second day of May, in the year One thousand seven hundred and seventy-two.

Collected and extracted from the records of the General Assembly, by

GEORGE WISHART, *Cls. Ecc. Scot.*

A TABLE

ACT concerning Persons guilty of Uncleanneſs, where they ſhould make Satisfaction.

Edinburgh, May 31. 1771.

IT being repreſented to the Aſſembly by an overture tranſmitted to them by their committee for overtures, that diſputes had ariſen, in the caſe of delinquents, where ſatiſfaction ſhould be made, when the delinquents have their reſidence in different pariſhes. The General Aſſembly find, that according to the law and practice of this church, perſons guilty of uncleanneſs ſhould ſatiſfy in that pariſh whereof the woman was a pariſhioner at the time the guilt was committed; and that by a pariſhioner is underſtood, a perſon, who has his, or her fixed reſidence, or place of abode, within a certain pariſh, for the time, whether ſuch reſidence is of long or ſhort duration.

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A TABLE

A

T A B L E of the printed Acts of the General Assembly held in the Year 1771.

- I. *THE King's Commission to JOHN Earl of Glasgow, produced and ordered to be recorded.* Page 3
- II. *The King's most gracious letter to the General Assembly, presented to them by his Majesty's commissioner.* 5
- III. *The General Assembly's answer to the King's most gracious letter.* 7
- IV. *Commission to some ministers and ruling elders, for reformation of the Highlands and Islands, and for managing his Majesty's royal bounty for that end* 9
- V. *Commission to some ministers and ruling elders, for discussing affairs referred to them* 14
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- VII. *Act concerning persons guilty of uncleanness, where they should make satisfaction* 25

OVERTURE

OVERTURE anent the Age of ruling Elders, and the electing them to represent Sessions in the Presbytery and Synod.

THE General Assembly called for an overture anent the age of ruling elders, and the electing them to represent sessions in the presbytery and synod, which was given in to the last General Assembly, and by them ordered to lye over till this Assembly, which was read, and is as follows: *Primo*, That no person shall be ordained an elder of this church before he is twenty-one years of age compleat. *Secundo*, That all presbytery elders shall be elected within two months after the sitting of synod, to attend the presbytery and ensuing synod of that bounds, and in case of death, or demission, a new elder shall be made within one month of the same. *Tertio*, That every elder so chosen shall produce an extract of his election under the hand of the Session-clerk, before he be received on the roll of either presbytery or synod. The General Assembly ordered the above to be transmitted as an overture to the several presbyteries, and appoints them to return their opinions thereupon to the next General Assembly.

OVERTURE anent Members of inferior Courts judging in Causes appealed from them.

Edinburgh, May 29. 1771.

THE General Assembly took into consideration the overture anent members of inferior courts judging in superior courts in causes appealed from them, which had been transmitted to presbyteries by several preceding

ing Assemblies, and had originally come before the Assembly in the year 1754 from the commission of the then foregoing Assembly, the tenor whereof follows: The Commission considering, that the present practice of this church, whereby the members of inferior judicatories are excluded from judging or voting in the superior judicatories, in case of an appeal, is contrary to the practice of all other courts, both of law and equity, and in some measure subversive of that exact purity which is a leading part of our constitution, as it sometimes subjects the sentence of the far greater number to that of the lesser; and further, considering that, by this means, those who a little before acted in the character of judges, are obliged to stand at the bar, on a level with the pannel, must enter into the spirit and warmth of a party, and perhaps are condemned for no other reason, than giving sentence according to their best judgment, and which they would willingly have altered upon a review; and as it often, if not always, happens that, when the members of inferior courts, before whom the cause was first tried, and thoroughly canvassed, are removed, the affair is not sufficiently understood, particularly because those who voted among the minority are not allowed to assign any reasons for their conduct, except they have entered a complaint, which one would not chuse to do, unless in a very strong case; and every one knows, that, in the course of reasoning, things frequently cast up, which perplex or mislead the judges, that could easily have been obviated or cleared up, if the members of the inferior courts had not been deprived of the liberty of speaking. On all these accounts, and for many other obvious reasons, the Commission propose, that the Assembly should transmit an overture to the consideration of the several presbyteries, for allowing the members of inferior judicatories to sit, judge and vote in the superior courts, in cases of appeals, as they do at present in the case of a reference. The General Assembly did and hereby do re-transmit the said overture to the several presbyteries, with this particular injunction, that they consider the same, on or before the day of electing their members to the next General Assembly.

I N D E X

INDEX OR ABRIDGEMENT

OF THE

Actings and Proceedings of the General Assembly of the Church of Scotland, held in the Year 1771, which are not printed at full length.

May 23. 1771. Sess. I.

AFTER sermon by the Reverend Dr Alexander Carlyle, minister of the gospel at Inveresk, moderator of the last General Assembly, the ministers and ruling elders convened in the Assembly-house in the usual manner; and after prayer by the said Dr Alexander Carlyle, Mr Robert Walker, one of the ministers of Edinburgh, was unanimously chosen moderator, and, at the Assembly's desire, took the chair.

The King's commission to John Earl of Glasgow, to represent his Majesty's royal person, read and recorded.

The King's most gracious letter to this Assembly, read and recorded.

The Commissioner's speech at opening this Assembly, and the moderator's speech in return thereto.

His Majesty's royal warrant for L. 1000 Sterling delivered into the Assembly by his Grace the commissioner, read, and ordered to be recorded.

A committee named for answering the King's most gracious letter.

A committee named for revising the commissions to the members of this Assembly, censuring absents from the diets thereof; naming ministers to preach before his Grace the King's commissioner; receiving in lists of probationers in the several presbyteries, in order to their being recorded,

Committee for overtures named.

Committee

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Committee for bills, references, and appeals named.
Adjournment.

May 24th 1771 Sess. 2d.

Sederunt.

New commissions produced.

A diet spent in prayer.

Act 7th of Assembly 1718, for the better dispatch of the business of the Assembly, read, and the observation thereof enjoined.

Ministers named to preach before his Grace the King's Commissioner.

The committee for overtures and bills appointed to meet this evening at their usual places.

Adjournment.

May 25th 1771 Sess. 3d.

Sederunt.

A new commission produced.

The draught of an answer to the Kings most gracious letter to this Assembly, brought in and approven, and his Grace the Commissioner at the Assemblys request undertakes to transmit the same to his Majesty.

A committee named to revise the actings, and proceedings, of the commission of the late General Assembly, audite the procurator and agents accompts, consider the state of the public money and prepare overtures about the same.

A committee named to revise the actings, and proceedings of the committee named by last Assembly, for managing the royal bounty, for the reformation of the Highlands and Islands.

The report of the committee, for revising commissions, having passed the committee for overtures, the same was called for and read.

The General Assembly, having considered the said report, rejected the commission from the burgh of Dornoch, as being given on the 30th day of April, only 23 days before the meeting of the Assembly.

The synod books called for

A committee named to revise the synod-book of Merse and Teviotdale.

The synod-books of Angus and Mearns, Aberdeen, Murray,
Ross,

Ross, Glenelg, Sutherland and Kaithness, Orkney, Lothian and Tweeddale, Dumfries, Galloway, Glasgow and Ayr, Argyle, Perth and Stirling, Fife and the presbytery-book of Zetland, not being brought up to this Assembly, resolved, that the reasons thereof be enquired into.

The roll of causes transmitted by the committee for bills called for, produced, and read over.

The committee for overtures impowered to receive in from the several members, any instructions given to them by their respective synods or presbyteries; class the matters therein contained and prepare overtures thereupon to the Assembly and receive in and consider any accounts that shall be given them of the state of the Church in the North Highlands, particularly concerning the growth of popery and superstition, and prepare overtures for preventing or suppressing thereof.

A petition and complaint of Mr Charles Nisbet minister at Montrose complaining of a sentence of the synod of Angus and Mearns approving of the conduct of the presbytery of Brechin in giving their consent to an intended process of annexation, for annexing the parish of Kinnaird to the parishes of Farnwell and Brechin heard, and the sentences of the synod and presbytery reversed, and the procurator and agent appointed to appear for the Church, and oppose the said process when the same shall be brought before the commissioners of teinds.

Resolve anent taking in causes.

The committee for overtures and bills appointed to meet this evening, in their usual places.

Adjournment.

May 27th 1771, Sess. 4th.

Sederunt.

New commissions produced.

A committee named to consider an overture anent delinquents, where they should make satisfaction and to report their opinion to this Assembly.

A committee named to consider an appeal of Mr Samuel Charteris minister at Kincardin for himself and in name of the presbytery of Dumblain against a sentence of the synod of Perth and Stirling reversing a judgment of the said presbytery of Dumblain, finding that the minister of Kincardin had the right of presenting a minister within the perambulated

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lated bounds of Norrieston and to report to the Assembly on or before Friday.

Resolve anent taking in causes.

The committee for overtures appointed to meet to-morrow morning, and the committee for bills this evening in their usual places.

Adjournment.

May 28th 1771, Sess. 5.

Sederunt.

New commissions produced.

The report of the committee appointed yesterday to consider the affair of Norrieston called for, given in and read, bearing that the sentence of the synod of Perth and Stirling should be affirmed in so far as it reverses the sentence of the presbytery of Dumblain, and that for supplying the present vacancy the presbytery should be appointed to proceed to take the proper steps on or before the 1st of August next towards the settling and ordaining of one as minister there who shall be agreeable to those usually attending divine ordinances dispensed in the Church of Norrieston. The General Assembly adopted the said opinion of their committee.

The report of the committee for bills, called for, produced, and read over:

The report of the Committee for overtures concerning returns from presbyteries on overtures transmitted by former Assemblies called for, given in and read; and the overture concerning members of inferiour courts judging in causes appealed from them to superior courts, appointed to be taken into consideration to morrow.

Resolve anent taking in causes.

An appeal of Sir John Stewart of Allanbank Baronet, patron of the parish of St. Ninians, and several heretors of the said parish, concurring in a call to Mr David Thomson minister at Gargunnock, to be minister at St. Ninians, from a sentence of the synod of Perth and Stirling refusing to transport Mr Thomson, *heard*, the sentence of the said synod reversed, Mr Thomson transported from Gargunnock to St. Ninians and the presbytery of Stirling appointed to proceed to his settlement as minister of St. Ninians, with all convenient speed according to the rules of the Church. Protests taken by some, against intimating this sentence in
regard

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regard it appeared to them doubtful, whether it was the decision of the Assembly or not.

Adjournment.

May 29th 1771 Sess. 6th.

Sederunt.

A letter addressed to the Moderator from Dr Daniel M'Queen containing the substance of his protest taken last diet, read, and the recording of the same delayed till Doctor M'Queen should be present in the house.

Upon reading the sentence of the Assembly of yesterday, anent the transportation of Mr Thomson from Gargunnoch to St. Ninians, dissents entered by several members.

Overture anent members of inferior courts, judging in superior courts in causes appealed from them, considered by the Assembly, and the same retransmitted to presbyteries with a particular injunction. (*Vid.* Overtures subjoined to the acts of this Assembly.)

The report of the committee appointed to consider the overture, where persons guilty of uncleanness should make their satisfaction, called for, given in and read, and the consideration thereof delayed till an after diet.

The committee for overtures appointed to meet this evening at seven o'clock in their usual place.

Adjournment.

May 30th 1771 Sess. 7th

Sederunt.

Doctor M'Queen being present, his letter containing the substance of his protest, taken at Tuesdays diet was again read, and insisted on by him to be recorded, to which protest several members adhered.

A committee named to prepare what might be judged necessary to be recorded by way of answer to Dr M'Queens protest, for the vindication of the Assemblys procedure, and of the clerk of court.

A committee named to consider of a method in which the votes of the house should be taken, so as to prevent all disputes for the future, respecting the majority of voices.

The committee appointed by Assembly 1769, for considering the

the order of the house and the better accommodation of the members continued, and added thereto, the present Moderator, the Lord Provost of Edinburgh, Bailie John Walker, Conveener Thomas Simpson, Conveener Armstrong and all other members of the Town Council of Edinburgh, that are members of Assembly, three to be a quorum, and the Moderator named Conveener of the committee.

Mr Thomas Smith minister at Cummertrees represented to the Assembly, that having repaired to the office of the collector the fund for ministers widows, in order to pay the annual rate due by himself and also the annual rates due by some of his brethren, who had intrusted him with their money, he found no collector there, and was offered a receipt subscribed not by Mr James Stewart the collector appointed by the General Assembly, but by the Reverend Dr Robert Dick as his deputy. That he, (Mr Smith) did not think himself *in tuto*, either to pay his own money or that of his brethren upon such receipt, and therefore requested the direction of the Assembly in a matter of such general concern. The General Assembly resolved to consider this matter as the first cause to-morrow.

The consideration of the overture concerning persons guilty of uncleanness where they should make satisfaction was again resumed, and recommitted to the same committee, with the addition of other two members

A committee named to consider the overture from the synod of Glasgow and Air, anent the time of their meeting

The overture from the presbytery of Dumfries concerning students of divinity ordered to ly upon the table.

A committee named to consider the overture from the synod of Angus and Mearns concerning the ordination of young men.

An appeal of Mr William M'Master, against a sentence of the presbytery of Stranrawer finding that they could not proceed to take any steps towards Mr M'Masters settlement in Port Patrick, till his character be cleared up and lifting the moderation of a call, till that should be effectuated, and likewise from a sentence of the synod of Galloway affirming the foresaid sentence of the presbytery, heard and the sentences of the presbytery, and synod reversed, reserving to the presbytery or the petitioners to give Mr M'Master a lybel in proper form.

The synod book of Fyfe produced and a committee appointed to revise the same.

Resolve anent taking in causes.

The committee for bills appointed to meet to morrow half an hour

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hour after ten.
Adjournment.

May 31st 1771 Sess. 8th.

Sederunt.

A new commission produced.

Resolve anent taking in the cause of Kinglassie.

The overture from the synod of Dumfries concerning students of divinity, remitted to the committee on the overture anent licensing probationers.

The report of the committee for bills, called for given in and read over.

The report of the visitors of the royal bounty register given in and read; the conduct of the managers approved of, and their book ordered to be attested.

A committee named for managing the royal bounty this year, with a commission and instructions to them.

The procurator and agents accompts produced and ordered to ly on the table.

The members of the several synods appointed to meet among themselves, in order to bring in a list of the nominators of the commission according to the 6th act of Assembly 1705.

Upon the report of the committee appointed to consider the overture from the synod of Glasgow and Air, anent the time of their meeting. The said overture dropped. Resolve to consider the overture from the synod of Perth and Stirling, and of the synod of Glasgow and Air, after the cause of Kilmaronock.

A committee, named to enquire into the state of the collector's health and the deputation said to be given by him, and all other facts relative to this affair, and to report to the Assembly to morrow

Adjournment.

June 1st 1771 Sess. 9th.

Sederunt.

The report of the committee, named to consider applications for shares of the public money, with the procurators opinion on these applications, called for and read.

The General Assembly appointed, as follows.

That Mr Peter Campbell, minister at Kilmichael, should be
allowed

allowed L. 20 sterling money, to enable him, to carry through a process of augmentation, presently depending before the commissioners of teinds.

That Mr James Moffat, minister at Newlands, should be allowed the sum of L. 30 sterling, to help to indemnify him, of the expence he has been put to, as defender in a process brought against him, before the Court of Session by David Dickson of Kilbucho, Esq.

That Mr James Gordon, minister at Cabrach, should be allowed the sum of five pounds, five shillings sterling, which sum together with the sum of L. 26 sterling formerly allowed him, the Assembly declares to be in full of the expences, occasioned by the process mentioned in his petition, and ordered this last sum of L. 5:5:0 sterling to be instantly paid him.

That Mr Joseph Anderson, minister at Birnie, should be allowed the sum of L. 15 sterling, to enable him to carry on the process of augmentation mentioned in his petition.

As to the petition for Mr James Alison, minister at Holm, the procurator and agent for the Church to appear in the process mentioned in the petition, in order to bring the same to a decision, on the public expence of the Church.

Ordered the sum of L. 3:3:0 sterling, to be immediately paid to the presbytery of Alford.

The persons above named to be ranked as creditors upon the fund, and to draw their payments, after the debts already contracted on said fund shall be paid; except those, whose sums are ordered to be immediately paid them.

Upon considering the present state of the public fund, the Assembly agreed in the opinion, that no future applications should be received in private causes, till the funds be fully cleared.

Act approving the accompt of Mr David Dalrymple procurator for the Church, and exonerating and discharging him and his cautioners, of the sum of L. 580:15 sterling and ordering, that he have credit for the sum of L. 25:3:7 $\frac{1}{2}$ sterling due to him, in his next accompt.

Act for approving the accompt of James Edmonstone agent for the Church, and sub-clerk to the General Assembly, and appointing that he debit himself, in his next accompt for the sum of L. 30:2:10 sterling being the balance in his hands.

The report of the visitors of the commission book given in and read, and the Commission's conduct approved of, the Assembly

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bly's thanks given from the chair to the Moderator of the commission for their faithfulness and diligence, in the affairs committed to them, and their book ordered to be attested.

The report of the committee appointed by Assembly 1769, for considering the amendments on the overture anent licensing probationers, not being ready, the General Assembly continued said committee and appointed them to report, to next Assembly

The report of the trustees of the fund for a provision to ministers widows, &c. produced and ordered to lye upon the table till another diet.

An appeal of Archibald Campbell of Stonefield, Esq; patron of the parish of Kilmaronock, and others concurrers in the presentation given to Mr James Addie, preacher of the gospel to be minister of said parish, called; and upon an agreement of parties dropping all complaints and appeals in that matter, the presbytery of Dumbarton are ordered at their next meeting at Drymen, to appoint a day when the parish of Kilmaronock shall be heard upon the return of the edict, and to give them proper notice thereof, and if no new objection against his life or doctrine shall be offered, which the presbytery shall judge relevant, that the presbytery shall proceed without delay to the settlement of Mr Addie as minister of Kilmaronock, according to the rules of the Church.

The report of the committee, appointed to enquire into the state of the health of the collector for the widows fund, &c. called for, given in, and read.

The general Assembly in consideration of the present incapacity, of the collector of the widows fund, and that the collector has no general power of deputation, ordained their clerk to transmit, the report of the committee to the Preses of the trustees for managing the widows fund, and recommend to them to meet on Monday morning next at nine o'clock, and take the proper steps for having the office of collector properly executed, and to report their procedure, at the meeting of the Assembly on Monday: Whereupon Mr Andrew Crosby in his own name, and in name of all those who should adhere to him, entered his dissent against the above resolution of the Assembly; to which dissent sundry members adhered.

Adjournment.

June 3d 1771, Sess. ultimo.

Sederunt.

c

Reasons

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Reasons of protest taken at Saturdays diet, by Mr John Dun minister at Auchinleck, given in, and read, and ordered to be kept *in retentis*.

Reasons of dissent against the sentence of the Assembly, relative to the collector, given in, and read, and ordered to be kept *in retentis*.

It being represented that Dr John Walker, minister at Moffat, was going in virtue of a commission, from the trustees on the annexed estates, to visit the western Highlands and Islands; the General Assembly do renew the commission granted to him, by the Assembly 1764.

The report of the committee, on the overture from the synod of Angus and Mearns, respecting the practice of some presbyteries, ordaining young men, without appointing them to any particular office, or charge, called for, given in, and read. The General Assembly ordered that no young man, shall, in time coming, be ordained by any presbytery, without appointing him to some particular office or charge.

The report of the committee, for naming the members of the commission and drawing up instructions to them, given in, and approved of.

The report of the committee, appointed by last and preceeding Assemblies, to consider the overture anent the improvement of ministers glebes, called for, but the same not being ready, the General Assembly continued that committee, and added thereto the Lord Advocate.

The report of the committee, appointed for considering what should be insert with respect to the protest, about marking the votes in the cause of St Ninians, called for, given in, and read, and the following facts ordered to be insert in the record.

That by the constant invariable practice of the Assembly, the principal clerk marks the votes, while the other clerk calls the roll; and his declaration of the majority from his marking, has been, and must be held as decisive, otherwise there could be no end of any dispute, until another method of collecting the votes, or dividing the house shall be duly considered and agreed to: That in the present case, not only the inviolable faith and irreproachable character of the clerk, as admitted by the protesters, but the testimony of the moderator, who declared from the chair that he heard every vote, and saw them marked with the utmost precision, removes every possible doubt: That further, two gentlemen of undoubted character, who voted on different sides, of the question, and sat in the center of the house, hard by the

the clerk, and marked the votes on a roll of the members which each of them had, concurred in confirming the clerk's marking to be just, as they declared to the Assembly.

Reasons of protest given in, by Mr Freebairn for himself and others adherers to Dr M'Queen's protest as to the marking of the votes, in the cause of St. Ninians; given in, and ordered to be kept *in retentis*.

Upon the reading of the said reasons of protest, in which notice, is taken of Mr James Alison's having by a piece of inadvertency expressed his vote 'Reverse' both at the calling of Mr Weir's name and his own, which the protesters say they have no reason to doubt was marked by the clerk as two votes for 'Reverse'; The clerk did thereupon represent to the Assembly, that when by this inattention of Mr Alison's he expressed his vote twice, there was a full stop till the matter was understood, and he (the clerk) did then mark but one vote; which was attested to be fact by those who stood or sat near to him in the marking: That of the two gentlemen who marked the votes, upon their rolls, the one (who himself voted on the opposite side to that which carried,) happened to mark both Mr Alison and Mr Weir as voting, by which means he brought out three of majority for 'Reverse', instead of two of majority brought out by the clerk; and the gentleman being appealed to for this by the clerk, in presence of the Assembly, assented to it that it was the fact as to his marking: At the same time, the other gentleman declared, that as he perceived Mr Alison's mistake, and did then mark but one vote, he brought out the numbers precisely the same with those of the clerk.

The report of the trustees, for managing the fund for a provision to ministers widows, &c. containing a state of the fund, under their management, and an account of their proceedings since last Assembly was again called for, and ordered to be recorded in the separate register kept for that purpose.

The synod book of Fife attested.

The synod-book of Merse and Tiviotdale attested.

The committee on the window tax continued with the same powers as appointed by last and former Assemblies.

A petition for Dr William More, minister at Halifax, in Nova Scotia, craving a collection, was read; and the Assembly in the present circumstances did not think it proper

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to grant his request.

The reasons of dissent against the sentence of this Assembly, in the cause of St. Ninians, given in writing, and read, and ordered to ly *in retentis*.

Doctor Webster desired it might be marked, as to the reasons of dissent, that tho' he had dissented and agreed in the main scope, yet there were some things in the reasons, he did not agree to.

The report of the committee named by last and former Assembly's for managing the Enzie fund, called for, the same was given in, and read. The General Assembly continued this committee with full powers to do in this matter, as they see cause and added thereto Mr Isaac Grant writer to the signet.

The report of the trustees anent the affair of the collector of the Widows fund, called for, their Preses reported, that they found themselves no legal meeting; the Assembly agree that they should take no further steps in this matter.

All the causes brought before this Assembly, and not determined by them referred to the commission.

List of the probationers produced, and their number ordered to be recorded.

Protestation admitted.

The minutes of this day's sederunt were read, the minutes of former sederunts being read at the diets subsequent thereto.

A committee named to revise the minutes of the Assembly's proceedings at this, and all other diets thereof, and to pitch upon such of the Acts of the Assembly as are to be standing rules, in order to their being printed.

The Moderator's speech to the Assembly, and his Majesty's Commissioner.

The Lord Commissioner's speech to the Assembly.

Act appointing the next meeting of the Assembly.

The Assembly concluded with prayer, and singing of psalms.

F I N I S.

